AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. Contract ID Code Cost-Plus-Fixed-Fee		Page 1 Of 4
2. Amendment/Modification No.	3. Effective Date	4. Requisition/Purchase Req				(If applicable)
P00005	2007JUL10	SEE SCH	EDULE			
6. Issued By	Code W56HZV					Code S3605A
U.S. ARMY TACOM LCMC	<u> </u>			<u></u>		
AMSTA-AQ-ABGB		AREA C, BUILDI				
ROBERT BEARDSLEE (586)574-8071 WARREN, MICHIGAN 48397-5000			25 VAN PATTON AVENUE IGHT PATTERSON AFB, OH 45433-5302			
HTTP://CONTRACTING.TACOM.ARMY.MIL		WKIGHI FAILE	KDON AFI	3, 011 43433 3.	302	
WEAPON SYSTEM: WPN SYS: 00						
EMAIL: ROBERT.BEARDSLEE@US.ARMY.MIL			CD C	PAS NONE		PT HQ0337
8. Name And Address Of Contractor (No., Stre	et, City, County, State and	l Zip Code)		9A. Amendmer	nt Of Solicitation	n No.
THE LEXINGTON CARBON COMPANY, LLC						
3130 LAMAR DRIVE LEXINGTON, KY 40502-2906			9B. Dated (See Item 11)			
HEATINGTON, RT 40302 2500						
			X	10A. Modificat	ion Of Contract	t/Order No.
				W56HZV-04-C-	0446	
TYPE BUSINESS: Other Small Business] [10B. Dated (See Item 13)			
Code 1SL92 Facility Code		2004JUL02				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers						
is extended, is not extended.						
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods:						
(a) By completing items 8 and 15, and returning copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the						
offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE						
SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such						
change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the						
opening hour and date specified.						
12. Accounting And Appropriation Data (If required) NO CHANGE TO OBLIGATION DATA						
13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS KIND MOD CODE: G It Modifies The Contract/Order No. As Described In Item 14.						
A. This Change Order is Issued Pursuant To: The Changes Set Forth In Item 14 Are Made In						
The Contract/Order No. In Item 10A. B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.)						
Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).						
X C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: FAR 43.103(a)(3)						
D. Other (Specify type of modification and authority)						
E. IMPORTANT: Contractor is not, is required to sign this document and return copies to the Issuing Office.						
14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)						
SEE SECOND PAGE FOR DESCRIPTION						
DEE DECOMD THEE TON DEBONIT ITON						
Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force						
and effect.						
15A. Name And Title Of Signer (Type or print))	MICHAEL L.	CIONI		Officer (Type o	r print)
15B. Contractor/Offeror	15C. Date Signed			ARMY.MIL (586	1214-1010	16C. Date Signed
2021 Contractor/Onteror	130. Date Signed	Tob. Omicu s	mus VI	. mici ica		100. Dan Digittu
(6)	_	By		/SIGNED/	APP	2007JUL10
(Signature of person authorized to sign) NSN 7540-01-152-8070		30-105-02	gnature o	f Contracting O		ORM 30 (REV. 10-83)

CONTINUATION SHEET

Reference No. of Document Being Continued

PIIN/SIIN W56HZV-04-C-0446

MOD/AMD P00005

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Name of Offeror or Contractor: THE LEXINGTON CARBON COMPANY, LLC

SECTION A - SUPPLEMENTAL INFORMATION

- 1. Bilateral Modification P00005 removes various requirements for the Contractor to ship certain Government-owned items from Aberdeen Test Center (ATC), APG, MD, to U.S. Army TACOM Life Cycle Management Command (LCMC), Warren, MI, as follows:
- a. Two (2) High Mobility Multi-purpose Wheeled Vehicles (HMMWVs) equipped with prototype water recovery units (WRUs). Both HMMWVs are model number M1097A2, and the relevant serial numbers are 211721 and 211751.
 - b. One (1) unassembled prototype WRU.
 - c. Twenty-eight (28) prototype water purification cannister sets.
 - d. Four (4) filter cannister spanner wrenches.
 - e. Any parts that may have been removed from the HMMWVs to accommodate prototype WRU installation.

The Government intends to transfer ownership of all of these items from U.S. Army TACOM LCMC to ATC.

- 2. The following Contract Sections have been revised to reflect changes resulting from Modification P00005:
 - a. C (Descriptions / Specifications / Work Statement)
 - b. F (Deliveries or Performance)
 - c. H (Other Contract Requirements)

The changed pages are attached.

3. Except for the changes resulting from this Modification P00005, all other terms and conditions, as previously modified, remain unchanged.

*** END OF NARRATIVE A0004 ***

CONTINUATION SHEET

Reference No. of Document Being Continued

PIIN/SIIN W56HZV-04-C-0446

MOD/AMD P00005

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Name of Offeror or Contractor: THE LEXINGTON CARBON COMPANY, LLC

SECTION F - DELIVERIES OR PERFORMANCE

F.3 DELIVERY OF REPORTS

The Contractor shall submit all reports electronically in accordance with (IAW) Exhibit A, Contract Data Requuirements List (CDRL) (DD Form 1423).

F.4 DELIVERY OF HARDWARE

- F.4.1 Prototype WRU System. For the HMMWV-mounted system, deliver two (2) installed prototype WRU systems by 17 Oct 05.
- It <u>is</u> necessary to install the prototype WRU systems on the HMMWVs for delivery. In addition, deliver one (1) complete unassembled prototype WRU system for use as spare parts by 17 Oct 05. Deliver all of these items to Aberdeen Proving Ground (APG), MD. See APG's shipping address in paragraph C.4.4 below.
- F.4.2 <u>Water Purification Canisters</u>. Deliver twenty-eight (28) prototype water purification canister sets by 17 Oct 05, to APG, MD. See APG's shipping address in paragraph C.4.4 below.
- F.4.3 <u>Special Tools</u>. Deliver two (2) filter canister spanner wrenches for each prototype WRU system, for a total of four (4) filter canister spanner wrenches by 17 Oct 05. The filter canister spanner wrench is the only special tool required for the prototype WRU system, and all other tools shall be common to a U.S. Army mechanics Common #1 tool kit. Deliver all of these items to APG, MD. See APG's shipping address in paragraph C.4.4 below.

F.4.4 Shipments to APG, MD.

F.4.4.1 For incoming shipments greater than 4000 lbs., ship to the following address:

Transportation Officer
U.S. Army Aberdeen Proving Ground
Building 507 (ATTN: Nancy Castaldo, 3-2510)
APG, MD 21005-5059

F.4.4.2 For spare parts, and consumable supplies, ship to the following address:

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U.S. Army Aberdeen Test Center
Bldg. 358 (ATTN: Nancy Castaldo, 3-2510)
APG, MD 21005-5059
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F.4.4 After completion of Government testing at Aberdeen Test Center (ATC), APG, MD, and following Government *acceptance of hardware, leave the above items (in Section F.4.1, F.4.2, and F.4.3) at ATC. *

F.5 PERIOD OF PERFORMANCE

The period of performance for this Contract shall be through 30 Sep 06.

* Revised by Modification P00005.

CONTINUATION SHEET

Reference No. of Document Being Continued

PIIN/SIIN W56HZV-04-C-0446

MOD/AMD P00005

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Name of Offeror or Contractor: THE LEXINGTON CARBON COMPANY, LLC

SECTION H - SPECIAL CONTRACT REQUIREMENTS
H.19 GOVERNMENT-FURNISHED PROPERTY

H.19.1 Upon Contract award, the Government will furnish the Contractor with three (3) Army High Mobility Multi-purpose Wheeled Vehicles (HMMWVs) for use in performing this Contract:

HMMWV #1: The Contractor shall maintain this HMMWV in as good condition as when issued, fair wear and tear excepted. By 19 Sep 05, the Contractor shall return this HMMWV to the Government location listed in Section H.19.2 below, including any parts it may have removed from the HMMWV to accommodate the water recovery unit installation. The data on the HMMWV is as follows:

Model Number: M1097A2

Serial Number: 177662 *

Condition: Military 10-20 Standards (except that the rear fenders have been modified for the water recovery unit)

Acquisition Cost: \$61,042

* The Contractor has been using this HMMWV in performing Contract DAAE07-02-C-L055. This contract award transfers accountability for this HMMWV from Contract DAAE07-02-C-L055 (with LexCarb LLC) to this Contract W56HZV-04-C-0446 (with LexCarb LLC).

HMMWV #2: The Government shall provide this HMMWV to the Contractor upon contract award. The Contractor shall modify the HMMWV only as necessary for installing the water recovery unit, and shall maintain and return the HMMWV with the water recovery unit installed in as good condition as when issued, fair wear and tear excepted. The Contractor shall also return to the Government any parts it may have removed from the HMMWV to accommodate the water recovery unit installation. The data on the HMMWV is as follows:

Model Number: M1097A2

Serial Number: 211721

Condition: New

Acquisition Cost: \$62,671.45

HMMWV #3: The Government shall provide this HMMWV to the Contractor upon contract award. The Contractor shall modify the HMMWV only as necessary for installing the water recovery unit, and shall maintain and return the HMMWV with the water recovery unit installed in as good condition as when issued, fair wear and tear excepted. The Contractor shall also return to the Government any parts it may have removed from the HMMWV to accommodate the water recovery unit installation. The data on the HMMWV is as follows:

Model Number: M1097A2

Serial Number: 211751

Condition: New

Acquisition Cost: \$62,671.45

H.19.2 Upon Contract completion, the Contractor shall leave any parts that have been removed from the HMMWVs (to accommodate water ** recovery unit installation) at Aberdeen Test Center (ATC), APG, MD. The ATC point-of-contact is as follows:

Ms. Nancy T. Castaldo Senior Test Director U.S. Army Aberdeen Test Center (CSTE-DTC-AT-WF-E) 400 Colleran Rd. APG, MD 21005-5059

** **

H.20 PRE-CONTRACT COSTS

Pursuant to FAR 31.205-32, the Government recognizes that due to the urgency of this program and in anticipation of the issuance of this contract, the Contractor has incurred costs since 25 Mar 04. Such costs, to a maximum of \$195,000, are allowable to the extent that they would have been allowable if incurred after the date of this contract.

** Revised by Modification P00005.